

10-R-0064

(Do Not Write Above This Line)

A RESOLUTION

BY THE PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

A RESOLUTION AUTHORIZING THE SETTLEMENT
OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN
THE CASE OF AMY FALZONE V. CITY OF ATLANTA,
MAGISTRATE COURT, FULTON COUNTY, CIVIL
ACTION FILE NO. 09MS097930, IN THE AMOUNT OF
\$7,000.00; AUTHORIZING SAID PAYMENT TO BE
CHARGED TO AND PAID FROM FUND 5051 (WATER &
WASTEWATER REVENUE FUND, 170201 (DWM
WASTEWATER TREATMENT & COLLECTIONS),
5750002 (PROPERTY / LIQUIDATION) 4310000
(SANITARY ADMINISTRATION); AUTHORIZING THE
RECESSION OF 09-R-1856; AUTHORIZING THE CHIEF
FINANCIAL OFFICER TO DISTRIBUTE THE
SETTLEMENT AMOUNT; AND FOR OTHER
PURPOSES

APPROVED BY:

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

COUNCIL

JAN 19 2010

ADOPTED BY

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PSLA Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

CERTIFIED

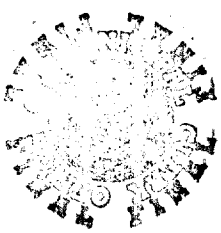
JAN 19 2010

Ronda Douglas
MEMORIAL CLERK

MAYOR'S ACTION

CERTIFIED

- FINAL COUNCIL ACTION
- ☐ 2nd
 - ☐ 1st & 2nd
 - ☐ 3rd
 - ☐ Consent
 - ☐ V Vote
 - ☒ RC Vote



A RESOLUTION

10-R- _____

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE


A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF AMY FALZONE v. CITY OF ATLANTA, MAGISTRATE COURT FULTON COUNTY, CIVIL ACTION FILE NO. 09MS097930, IN THE AMOUNT OF \$7,000.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 5051 (WATER & WASTEWATER REVENUE FUND), 170201 (DWM WASTEWATER TREATMENT & COLLECTIONS), 5750002 (PROPERTY / LIQUIDATION) 4310000 (SANITARY ADMINISTRATION); AUTHORIZING THE RECENSION OF 09-R-1856; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, Amy Falzone v. City of Atlanta, is a case in which the Plaintiff sued for alleged damages resulting from her slip and fall into an unmarked, uncovered utility meter hole/water valve;

WHEREAS, Plaintiff alleges that she suffered physical damages, lost wages and pain and suffering as a result of her fall;

WHEREAS, Plaintiff sought in excess of \$25,000 for her injuries resulting from her alleged fall;

WHEREAS, Plaintiff has agreed to accept \$7,000.00, in full settlement of all claims against the City of Atlanta; and



WHEREAS, the City Attorney has done extensive review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$7,000.00 to settle all claims against the City of Atlanta.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:

SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of Amy Falzone v. City of Atlanta in the amount of Seven Thousand Dollars (\$7,000.00).

SECTION 2. Said payment is to be charged to and paid from FUND 5051 (WATER & WASTEWATER REVENUE FUND), 170201 (DWM WASTEWATER TREATMENT & COLLECTIONS), 5750002 (PROPERTY / LIQUIDATION) 4310000 (SANITARY ADMINISTRATION). Payment shall be in the form of a check in the amount of \$7,000.00 payable to Amy Falzone and Jim R. Green, P.C. Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former officers and employees.

SECTION 3. Resolution number 09-R-1856 is hereby revoked and rescinded due to incorrect account information.



A true copy,

Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

JAN 19, 2010
JAN 27, 2010

RCS# 17
1/19/10
1:54 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

10-R-0145

ADOPT EXCEPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I